

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

JEFFREY NUZIARD, et al.,

Plaintiffs,

v.

Case No. 4:23-cv-00278-P

MINORITY BUSINESS
DEVELOPMENT AGENCY, et al.

Defendants.

PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION

Pursuant to Fed. R. Civ. P. 65 and 5 U.S.C. § 705, and as set forth in the brief in support of this motion, Plaintiffs hereby move for a preliminary injunction prohibiting Defendants from imposing the racial and ethnic classifications defined in 15 U.S.C. § 9501 and implemented in 15 U.S.C. §§ 9511, 9512, 9522, 9523, 9524, and 15 C.F.R. § 1400.1 and/or as otherwise applied to the MBDA Business Center Program and other MBDA programs and services, and additionally enjoining Defendants from using the term “minority” to advertise or reference their statutorily authorized programs and services.

CERTIFICATE OF CONFERENCE AND NOTICE

This motion is opposed. Pursuant to Local Civil Rule 7.1, undersigned counsel certifies that on March 27, 2023, attorney for Plaintiffs, Daniel Lennington, and attorney for Defendants, AUSA Brian Stoltz, conferred regarding this motion for a preliminary injunction via email. AUSA Stoltz indicated that Defendants would oppose this motion and its request for relief. Therefore,

Plaintiffs move for a preliminary injunction to protect their rights from irreparable harm as explained in the brief in support of this motion.

Thus far, no appearances have been filed in this case. Accordingly, AUSA Stoltz will be notified and provided copies of the motion and supporting documents via email on behalf of the Defendants, and copies of the motion and supporting documents will be served via mail on the United States Attorney General.

Dated: April 3, 2023.

Respectfully submitted,

WISCONSIN INSTITUTE FOR
LAW & LIBERTY, INC.

s/ Cara M. Tolliver

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